

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Parts 2.106 and 25.202)	RM No. 9147
of the Commission's Rules to Permit)	
Operation of NGSO FSS Systems)	
Co-Frequency with GSO and Terrestrial)	
Systems in the 10.7-12.7 GHz,)	
12.75-13.25 GHz, 13.75-14.5 GHz, and)	
17.3-17.8 GHz Bands, and to Establish)	
Technical Rules Governing NGSO FSS)	
Operations in these Bands)	

REPLY COMMENTS OF GE AMERICAN COMMUNICATIONS, INC.

GE American Communications, Inc. ("GE Americom"), by its attorneys and pursuant to Section 1.405 of the Commission's Rules, 47 C.F.R. § 1.405, hereby replies to the comments of other parties in response to the above-captioned Petition for Rulemaking, filed July 3, 1997, by SkyBridge L.L.C. ("SkyBridge Petition").

GE Americom believes that the record here does not at this time support initiation of the rulemaking proceeding requested by SkyBridge. Instead, further study is required to determine whether the proposals contained in the SkyBridge Petition are reasonable.

SkyBridge requests a proceeding to establish rules to permit non-geostationary orbit ("NGSO") operations on a co-frequency basis with GSO satellites in the fixed-satellite and broadcast-satellite services in the Ku-band. SkyBridge asserts that NGSO operations in this band can occur without degrading the quality

or availability of GSO or terrestrial services and without imposing operational constraints on GSO or terrestrial operators. SkyBridge Petition at 2.

In response to the Petition, a number of satellite and terrestrial operators and satellite service users express concern about the SkyBridge proposals. In particular, several parties note that the assumptions underlying the SkyBridge plan for sharing between NGSO and GSO services have not been operationally tested. *See, e.g.*, DIRECTV Opposition at 9-10; HBO Comments at 3; PanAmSat Opposition at 2; USSB Comments at 2. The huge investment in current FSS and DBS operations in the Ku-band, these parties argue, should not be imperiled on the basis of theoretical sharing techniques that have not been subjected to analysis under real-world operating conditions. *See* DIRECTV Opposition at 1-2; PanAmSat Opposition at 2.

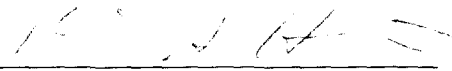
Accordingly, most commenters urge the Commission not to commence a rulemaking proceeding pending further analysis of sharing issues. *See, e.g.*, AMSC Opposition at 2-3; HBO Comments at 3-4; Hughes Communications Comments at 3-4; PanAmSat Comments at 4. PanAmSat notes that deferral is particularly appropriate here because SkyBridge's proposal is contrary to existing ITU regulations. PanAmSat argues that the Commission should not expend scarce resources considering the SkyBridge petition when the necessary ITU rule changes required to permit SkyBridge's proposed operations may never occur. PanAmSat Opposition at 4.

GE Americom agrees that it would be premature for the Commission to initiate a rulemaking to consider the SkyBridge proposal at this time. In light of the concerns expressed by GSO satellite industry participants, the Commission should defer action on the SkyBridge Petition pending further analysis of sharing issues. If the Commission does determine that sharing methods will permit expanded uses of Ku-band spectrum, all qualified parties should be given the opportunity to pursue authorizations for new service offerings in reliance on those methods.

For these reasons, GE Americom urges the Commission not to grant the SkyBridge Petition at this time.

Respectfully submitted,

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September 11, 1997

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Comments of GE American Communications, Inc. were served by hand delivery this 11th day of September, 1997 to:

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